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FM AMEMBASSY KIGALI
TO RUEHC/SECSTATE WASHDC PRIORITY 5333
INFO RUEHBS/AMEMBASSY BRUSSELS 0229
RUEHJB/AMEMBASSY BUJUMBURA 0316
RUEHDR/AMEMBASSY DAR ES SALAAM 1131
RUEHKM/AMEMBASSY KAMPALA 1899
RUEHKI/AMEMBASSY KINSHASA 0451
RUEHLO/AMEMBASSY LONDON 0234
RUEHNR/AMEMBASSY NAIROBI 1224
RUEHFR/AMEMBASSY PARIS 0495
RUEHMD/AMEMBASSY MADRID 0019
RUCNDT/USMISSION USUN NEW YORK 0125
RUEHGV/USMISSION GENEVA 0295

C O N F I D E N T I A L KIGALI 000369

SENSITIVE
SIPDIS

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TAGS: [PREL](#) [PGOV](#) [RW](#)

SUBJECT: RWANDA - SPANISH INDICTMENTS "MERE ARROGANCE"

REF: A. KIGALI 292 (NOTAL)

[1](#)B. KIGALI 325 (NOTAL)

Classified By: Amb. Arietti for reasons 1.4 (b) and (d)

[1](#)1. (U) Government of Rwanda (GOR) officials, including President Paul Kagame and Minister of Justice Tharcisse Karugarama, continue their campaign against the Spanish indictment of 40 Rwandan military officials (reftels). In comments delivered to commemorate Israel's 60th year, Kagame called the indictments "mere arrogance" and lamented, "Some in the more powerful parts of the world have given themselves the right to extend their national jurisdiction to indict weaker nations." The African Union's Pan-African Parliament and the Global Pan-African Movement based in Uganda have added their support to this assessment, condemning the Spanish and previous French indictments and calling them efforts by "colonial tormentors" to "intimidate and disrespect" Africans.

[1](#)2. (U) Domestically, the GOR responded to the indictments by calling a special session in Parliament in which three "international legal experts" (who all happened to be Rwandan, including Karugarama) denounced them as "politically-motivated, fraudulent, inappropriate," and meant to "destabilize Rwanda." The panel criticized the way in which the indictments were issued, citing poor investigation tactics and the secrecy surrounding witnesses credited with many of the most controversial accusations. The panel concluded the GOR could accept the principle of "universal jurisdiction" used in the indictments, but only in cases where it is "well-applied." Karugarama also reported the GOR was considering pursuing legal action against the Spanish judge who issued the indictments as they had done against the judge who authored the French indictments. He questioned the legality of the indictments and said deniers of the 1994 genocide had been responsible for them.

[1](#)3. (C) GOR officials maintained this position in private conversations with the Ambassador and other Emboffs. Emmanuel Ndahiro, head of the National Security Services, spoke with the Ambassador and pointed out the swift and negative U.S. response to attempts to apply universal jurisdiction against its own officials (Donald Rumsfeld, Henry Kissinger). He asked why the U.S. was not willing, as a friend to the GOR, to apply the same standard to the Spanish indictments. Ndahiro also said the indictments drew upon false information from anti-GOR individuals in Europe and the Spanish judge made no attempts to contact the GOR to

verify or further investigate their claims. Ben Rutsinga, Director for International Organizations in the Ministry of Foreign Affairs, expressed similar frustrations about the international response. He said arguments citing Spanish judicial independence and "so-called freedom of expression" were allowing the judiciary to be used by FDLR terrorists and genocide-deniers to pursue a political attack against the GOR. He predicted indictments against Rwandan political leaders would follow if the GOR did not forcefully respond to the current ones. Rutsinga suggested one of the indictees should allow himself to be arrested, thereby testing the indictments in court and "clearing the air." He said, indictments in court and "clearing the air." He said, however, such a tactic would take years to be resolved and was unlikely to be supported by the GOR.

¶4. (U) Comment: GOR officials continue their orchestrated and acerbic response to the Spanish indictments after a relatively dismissive initial reaction. The GOR will continue seeking international support in what may be a precursor to pursuing action in the UN. End comment.

ARIETTI